APPENDIX

I

Any Arrest After January 1, 1992

Trial Court Licensing Sanction

Revocation MCL 257.625b (prior to 10/1/99) 1 year/5 years Administrative Action

Revocation/Denial MCL 257.303 1 year/5 years

No Appeal to Circuit Court MCL 257.323(5) (prior to 10/1/99)

Paulson v SOS 154 Mich App 626; 398 NW2nd 477 (1986)

Cannot amend to lesser sanction

<u>Dabrowski and Nigro v SOS,</u> 201 Mich App 218; 506 NW2nd 10 (1993)

<u>Dudley v SOS,</u> 204 Mich App 152; 514 NW2nd 167 (1993) During minimum revocation period

May only review the driving record and set aside if illegal revocation.

No remand even to DAAD until minimum time served.

MCL 257.204a

AFTER minimum revocation period

Must apply for a license through DAAD. May appeal to circuit court on the hearing record only; the court may set aside if not supported by competent, material, and substantial evidence on the whole record. No restrictions may be granted.

Must have DAAD transcript or remand for hearing to create a record.

If the court is going to grant full relief and overturn the hearing officer's decision, consider seeking remand to the hearing officer, for another review.

If the judge reverses DAAD, ask for a stay.

Rodriguez v SOS 215 Mich App 481; 546 NW2nd 661 (1996)

Roman v SOS 213 Mich App 592; 540 NW2nd 474 (1995)